



## Recommendation for Action

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**File #:** 21-1410, **Agenda Item #:** 6.

3/25/2021

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### Posting Language

Authorize additional contingency funding for the construction contract with M.A. Smith Contracting Company, Inc., for the Williamson Creek - Bitter Creek Tributary Channel Rehabilitation project in the amount of \$383,461 for a total contract amount not to exceed \$3,712,170.

[Note: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Business Enterprise Procurement Program). Current participation to date is 4.11% MBE and 0.27% WBE.]

### Lead Department

Capital Contracting Office

### Managing Department

Public Works Department

### Fiscal Note

Funding is available in the Fiscal Year 2020-2021 Capital Budget of the Watershed Protection Department.

### Purchasing Language:

Original contract was awarded through a competitive Invitation for Bid solicitation process.

### Prior Council Action:

February 20, 2020 - Council awarded a construction contract to M. A. Smith Contracting Company, Inc. for the Williamson Creek - Bitter Creek Tributary Channel Rehabilitation project.

### For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or [AgendaOffice@austintexas.gov](mailto:AgendaOffice@austintexas.gov) <<mailto:AgendaOffice@austintexas.gov>>.

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749; Garrett Cox, 512-974-9423; or the Project Manager, Dario Octaviano, 512-974-7607.

### Additional Backup Information:

The Watershed Protection Department identified a tributary to Williamson Creek as a priority for erosion repair. This stream has adjusted to urbanization by becoming wider and deeper, impacting approximately 67 residential properties along the reach and degrading the riparian habitat. The repair project is stabilizing the stream erosion, replacing degraded storm drain infrastructure, removing trash, removing sediment from an inline pond, and improving the ecological function.

The creek has continuously eroded since completion of design, requiring construction activities such as soil nail wall redesign, increased soil nail wall height, increased boulder wall quantity, headwall design change

from limestone boulder walls to cast-in-place concrete walls, increased large tree removal, aquatic wildlife relocations, increased fence relocations and replacement, and increased pond dredging quantity.

The original Council authorization allowed for a 10% contingency to cover unknown risks associated with the project. The previously authorized contingency and administrative authority have been exhausted and are not sufficient to fund anticipated change orders necessary to complete the project. Additional contingency is requested to ensure timely and efficient change order processing for a successful project completion. Approval of this request will increase the total project contingency to 25%. By authorizing the additional contingency funding, Council is authorizing any change orders within the contingency amount.

Prompt action is requested on this item to ensure necessary project elements are completed and project delays do not occur. Failure to complete this project in a timely manner will extend the duration of disturbance to the residential area and potentially impact proper timing of landscape installation which will be most successful in the spring.

The contract allows 353 calendar days for completion of this project. This project is located within zip code 78744 (District 2).

M.A. Smith Contracting Company, Inc. is located in Austin, Texas.

**Strategic Outcome(s):**

Safety; Health and Environment